

Case 3:12-cr-00003-P Document 47 Filed 08/09/12 Page 1 of 2 PageID 157

UNITED STATES DISTRICT COURT
PROBATION AND PRETRIAL SERVICES
NORTHERN DISTRICT OF TEXAS

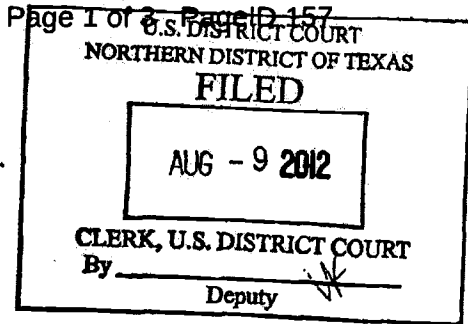
UNITED STATES OF AMERICA)

v.)

Samuel George Hurd, III)

Case No. 3:12-CR-003-P (01)

5:12-mj-791



REPORT OF VIOLATION OF CONDITIONS
OF PRETRIAL RELEASE

COMES NOW Angela Roberson, Probation Officer, presenting a report to the Court upon the conduct of defendant Samuel George Hurd, III, who was placed on pretrial release supervision by the Honorable Judge Young B. Kim, sitting for the Court at Chicago, Illinois, on December 15, 2011, under the following conditions:

- (1) The defendant must not violate any federal, state, or local law while on release.
- (8p) The defendant must refrain from use or unlawful possession of a narcotic drug or other controlled substances as defined in 21 USC § 802, unless prescribed by a licensed medical practitioner.

The undersigned has information that the defendant has violated such conditions in each of the following respects:

The defendant submitted a urine specimen on May 14, 2012, which tested positive for marijuana. He admitted to use and was placed in substance abuse treatment. On July 12, 2012, the defendant submitted another urine specimen which tested positive for marijuana. He again admitted to smoking marijuana. The defendant is currently scheduled for jury trial on October 9, 2012, before the Honorable Jorge A. Solis.


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Assistant U.S. Attorney Gary Tromblay has been notified of the above noted violations. He does not oppose this officers suggestion as noted below.

The undersigned suggest to the court that a summons be issued and the defendant appear before a judge of this court to determine whether the defendant's conditions of pretrial release should be revoked.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on August 8, 2012



08/08/2012 2:50 PM

Angela Roberson
U.S. Probation Officer
Dallas, Texas
214-753-2466
Fax: 214-753-2570

Approved,

 08/08/2012 2:47 PM

Cecilio Bustamante
Supervising U.S. Probation Officer
214-753-2506

ORDER

Having considered the report of the Probation Office pertaining to possible violations by defendant Samuel George Hurd, III, of his conditions of pretrial release, the Court ORDERS that:

- () No action be taken.
- () The Order Setting Conditions of Release is modified to include the following:
 - () A summons be issued and the defendant appear before a judge of this Court to determine whether her conditions of pretrial release should be revoked.
 - (✓) A violator's warrant be issued, and the above-named defendant be arrested forthwith and brought before a judge of this Court to determine whether her conditions of pretrial release should be revoked.
 - () The office of the U.S. Attorney for the Northern District of Texas file a motion to revoke the conditions of the defendant's pretrial release, consistent with the information contained in the foregoing Report, and take such steps as are necessary to present such motion at the hearing thereon.

SIGNED AUG. 9, 2012.


Jeff Kaplan
U.S. MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 3:12-CR-003-P
	§	ECF
SAMUEL GEORGE HURD, III (01)	§	

**GOVERNMENT'S EX PARTE MOTION FOR
ARREST AND REVOCATION OF PRE-TRIAL RELEASE**

The United States of America, by and through the undersigned counsel, moves this Court for an order to arrest the defendant, Samuel George Hurd, III, and to schedule a hearing to determine if his pre-trial release should be revoked after he is arrested.

1. Hurd stands indicted for offenses involving the trafficking cocaine and marijuana. *See* ECF Doc. No. 35. Federal agents arrested Hurd on December 14, 2011, in Chicago, Illinois area as he left a steakhouse with a kilogram of cocaine after he had reached an agreement with an undercover agent to purchase multiple kilograms of cocaine and 1,000 pounds of marijuana on a weekly basis for him to sell to others.

2. On December 16, 2011, a federal magistrate judge in the Northern District of Illinois released Hurd on conditions of release after he posted a \$100,000 cash bond. The order setting conditions of release specify that Hurd "must not violate any federal, state, or local law while on release," and that he must "refrain use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed

by a licensed medical practitioner.” *See* ECF Doc. No. 3, Conditions 1 & 8(p). Hurd has violated these two conditions since his release.

3. On June 6, 2012, federal agents arrested Jesse Tyrone Chavful, Hurd’s co-conspirator and cousin, in San Antonio, Texas, where Hurd currently resides, after Chavful tried to acquire five kilograms of cocaine and 200 pounds of marijuana. On July 30, 2012, Chavful met with federal agents to discuss his involvement in the drug trade. Chavful stated that in March/April 2012, Hurd came to his T-shirt shop in San Antonio and asked him to get him “something,” meaning cocaine and marijuana. Chavful stated that in May 2012, he delivered 30 pounds of marijuana packed in a blue ice chest to Hurd at his T-shirt shop. Hurd paid \$10,500 in cash for the marijuana.

4. Chavful also stated that the cocaine and marijuana that he had tried to acquire from an undercover agent at his T-shirt shop on June 6, 2012, was suppose to go to Hurd. Chavful added that he had cellular telephone contact with Hurd – at a number listed to “Big Sam” in Chavful’s cellular telephone book – during key points leading to the drug delivery. Telephone records confirm that Chavful’s cellular telephone, which was in his possession when he was arrested, had called the telephone number listed to “Big Sam,” which is a cellular telephone subscribed to Hurd’s sister, three times after Chavful had been told that the drugs were en route to his T-shirt shop. Thus, Chavful’s account of this event has been corroborated by independent evidence.

5. On August 8, 2012, Angela Roberson, a Pre-Trial Services Officer, contacted

the government and informed that Hurd submitted two drug tests – one in mid-May 2012, and the other in mid-July 2012 – that proved that he had used marijuana, a controlled substance, on two occasions after his release. Hurd admitted that he had unlawfully used marijuana after his release.

Therefore, the government requests that this Court order Hurd's arrest and schedule a hearing to determine whether his pre-trial release should be revoked after he is arrested.

Respectfully submitted,

SARAH R. SALDAÑA
UNITED STATES ATTORNEY

s/ Gary C. Tromblay

GARY C. TROMBLAY
Assistant United States Attorney
Louisiana Bar Roll No. 22665
1100 Commerce Street, 3rd Floor
Dallas, Texas 75242
Telephone: 214.659.8638
Email: gary.tromblay@usdoj.gov

United States District Court
Northern District of Texas
Dallas Division

UNITED STATES OF AMERICA

V.

SAMUEL GEORGE HURD, III

5:12-mj-791
CASE NUMBER: 3:12-cr-003-P

MAG. CASE NUMBER:

To: The United States Marshal
and any Authorized United States Officer

WARRANT FOR ARREST OF DEFENDANT

You are hereby commanded to arrest the within-named defendant and bring him/her, forthwith, before the United States District Court to answer charges that he/she violated the conditions of his/her pretrial release imposed by the Court.

NAME OF DEFENDANT:

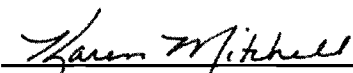
SAMUEL GEORGE HURD, III

ADDRESS (STREET, CITY, STATE):

Unknown

TO BE BROUGHT BEFORE (JUDGE, NAME OF COURT, CITY, STATE):

United States District Court, Northern District of Texas, Dallas Division


Karen Mitchell, U.S. District Court Clerk



s/C. Fisher
(By) Deputy Clerk

Aug 9, 2012
Date

RETURN

Date Received

Date Executed

Warrant received and executed.

Executing Agency (Name and Address)

Name: _____ (By) _____ Date: _____